

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday June 1, 2015
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin, B. Chandy, G. Lewis, P. Plante, B. Pociask, K. Rawn, B. Ryan, V. Ward
Members absent: R. Hall
Alternates present: P. Aho, S. Westa
Alternates absent: K. Holt
Staff present: Linda Painter, Director of Planning and Development
Jennifer Kaufman, Natural Resources and Sustainability Coordinator
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:17 p.m. and appointed alternate Aho to act.

Approval of Minutes:

May 18, 2015 Regular Meeting: Chandy MOVED, Rawn seconded, to approve the 5-18-15 meeting minutes as presented. MOTION PASSED. Chandy noted for the record that she listened to the recording. Plante and Pociask were disqualified.

Zoning Agents Report:

None

Old Business:

a. Special Permit Application, Commercial Recreation Use with Restaurant, 95 Storrs Road; East Brook F LLC, East Brook T LLC, and East Brook W LLC; PZC File #432-6

Goodwin disqualified herself and appointed Westa to act in her place.

Rawn MOVED, Chandy seconded, to approve with conditions the special permit application (File #432-6) of East Brook F LLC, East Brook T LLC and East Brook W LLC to allow conversion of retail space into a commercial recreation use and restaurant along with associated changes to building elevations and the adjacent parking/loading area on property owned by the applicants and located at 95 Storrs Road. This approval is based on the project as described in the application dated February 19, 2015, and as shown on an existing condition survey dated October 18, 2013 revised through May 2, 2015, plans dated February 16, 2015 revised through April 30, 2015 and as presented at a Public Hearing on May 4, 2015.

Through this approval, the Commission accepts the submission of the supplemental information provided through revised maps as noted above and a letter from John Everett, Project Architect dated April 30, 2015 and determines that no new hearing was warranted as the changes and corrections to the map were minor in nature and did not impact the overall site layout. Furthermore, the Commission determines that due to the limited area of work associated with the proposed change in use, the site plan information identified in the letter dated April 30, 2015 from John Everett, Project Architect, is not needed to determine consistency with the Zoning Regulations and the submission of that information is therefore waived in accordance with Article Five, Section B.4. The submission of a formal Erosion and Sedimentation Control Plan is also not required as the area of disturbance is less than the 1/2 acre threshold identified in Article VI, Section B.4.s.

This approval is granted because the application is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. **Extent of Approval.** This approval is specifically limited to the above application and the applicant's submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed uses and site improvements shall be limited to those authorized by this approval. Furthermore, the approval of this special permit is not and shall not be construed to include approval, re-approval or acceptance of any site and building improvements shown on the existing conditions survey that were approved as part of the Michael's addition (PZC File #1307), which approval is currently on appeal. Any questions regarding authorized uses, required site improvements and conditions cited in this approval shall be reviewed with the Zoning Agent and Director of Planning and Development, and, as deemed necessary, the PZC.
2. **Permits.** No Zoning Permits shall be issued and no construction shall commence until the following conditions are met:
 - All applicable state and federal permits have been obtained;
 - Estimated wastewater calculations have been submitted to the Assistant Town Engineer; and
 - A landscape plan for the Zen Garden has been approved by the Director of Planning and Development.
3. **Signs.** While depicted on the elevations, signs have not been approved as part of this Special Permit. Sign permits must be obtained; review for compliance with regulations will be completed at that time.
4. **Parking Study.** After the business has been operating for one year, the applicant shall complete a parking study to determine whether additional parking to support the use is required. If the Commission determines that additional parking is needed after review of the study, the applicant shall submit a plan for the construction of additional parking for approval by the Commission.
5. **Validity.** This permit shall not become valid until the applicant obtains the special permit form from the Planning Office and files it on the Land Records.

MOTION PASSED with all in favor except Goodwin who was disqualified.

Ward MOVED, Chandy seconded to add to the agenda under New Business, the appointment of a PZC member to the Sustainability Committee. MOTION to add to the agenda PASSED UNANIMOUSLY.

Public Hearings:

Special Permit Application, Efficiency Unit, 5 Hillside Circle; Steven Sorrels, PZC File#1332

Chairman Goodwin opened the Public Hearing at 7:25 p.m. Members present were Goodwin, Chandy, Lewis, Plante, Pociask, Rawn, Ryan, Ward and Alternates Aho and Westa. Aho was appointed to act. Painter read the legal notice as it appeared in The Chronicle on 5-19-15 and 5-27-15 and noted a 5/26/15 memo from Curt Hirsch, Zoning Agent; and a letter handed out this evening from John Manning of 7 Hillside Circle.

Applicant Steven Sorrels, 5 Hillside Circle, presented his application. He submitted the receipts of the neighborhood notification, but did not present a copy of his mailing.

John Manning, 7 Hillside Circle, read into the record his previously submitted letter, which was copied for members. He expressed concern about an efficiency unit for income purposes in a residential neighborhood.

Curt Hirsch, Zoning Agent, noted that income potential is listed in our regulations as an acceptable reason for creating an efficiency unit.

Chairman Goodwin noted no further comments or questions from the Commission or the Public.

At 7:45 p.m. Plante MOVED, Pociask seconded, to continue the Public Hearing in order to receive a copy of the certified mailing sent to neighbors. MOTION PASSED UNANIMOUSLY.

Continued Public Hearing:

Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)

Chairman Goodwin opened the Continued Public Hearing at 7:46 p.m. Members present were Goodwin, Chandy, Lewis, Plante, Pociask, Rawn, Ryan, Ward and Alternates Aho and Westa. Aho was appointed to act.

Painter noted that since the public hearing was opened on May 18, 2015, the Commission has received the following correspondence regarding the draft Plan of Conservation and Development (POCD). Copies of certain documents received at the last meeting (identified with an asterisk*) were distributed to the Commission electronically on May 27, 2015. Copies of the other correspondence received are attached to this memo.

- May 18, 2015 – Beverly Sims submitted a copy of the Environmental Review Team report for the Ponde place project and a one page summary with excerpts from that report*
- May 18, 2015 – Package of documents from Alison Hilding*, 17 Southwood Road, including:
 - March 16, 2011 letter from Alison Hilding to the PZC
 - March 30, 2011 letter from Alison Hilding to the PZC with attached petition
 - 1918 Public Acts, Chapter 281
 - 1919 Interlocutory Judgement
 - EPA website information on Green Power Equivalency Calculator Methodologies
 - CEQ website information on Preserved Land
 - EPA website information on Environmental Footprint Analysis
 - CEQ website information on Rivers, Streams and Floods
 - CEQ report on State Oversight of Alternative Sewage Treatment Systems
 - April 6, 2015 letter from Alison Hilding and Richard Sherman to Carlos Esguerra at CT DEEP
- May 18, 2015 – Letter from Richard Cowles, 50 Meadowood Road, submitted at hearing
- May 18, 2015 – Letter from Jake Friedman, 65 Northwood Road, submitted at hearing
- May 18, 2015 – Email from David Patenaude, 54 Ellington Road, Tolland (entered into hearing record)
- May 19, 2015 – Letter from Michael Kirk, Deputy Chief of Staff to the President, University of Connecticut (this is a signed copy of the letter; an unsigned copy was received via email on May 18th and entered into the record of the hearing)
- May 19, 2015 – Memo from Open Space Preservation Committee
- May 23, 2015 – Letter from Beverly Sims, 61 Northwood Road
- May 23, 2015 – Email from Roberta Coughlin
- May 26, 2015 – Letter from Honour Mary D'Amato, 55 Northwood Road
- May 26, 2015 – Memo from Vicky Wetherell
- May 27, 2015 – Letter from David and Carol Prewitt, 425 Middle Turnpike
- May 28, 2015- Memo from Linda Painter, Director of Planning and Development
- May 28, 2015 – Letter from Virginia N. Gorin, 222 Separatist Road
- Undated letter from William Okeson, 61 Northwood Road
- May 28, 2015 – Letter from Lisa Young, 41 Meadowood Road

- May 28, 2015 – Letter from Roseann Kellner Gottier, Conserving Tolland
- May 29, 2015 – June 1, 2015- Email chain between Patricia Suprenant and Linda Painter
- May 30, 2015 – Barbara Hurd, 329 North Eagleville Road
- May 31, 2015 – Email from Laurie Symonds, 22 Ellington Road, Tolland
- May 31, 2015 – Letter from Gregory F. Cichowski, 53 Old Turnpike Road
- June 1, 2015 – Email from Vicky Wetherell
- **May 30, 2015 – Letter from Merrill Cook, 219 Separatist Road (received in the Clerk's Office on Monday, June 1, 2015 prior to the closing of the Public Hearing, and subsequently emailed to Commission members on June 2, 2015)
- **May 27, 2015 – Letter from John Maloney, 5 Southwood Road (received in the Clerk's Office on Monday, June 1, 2015 prior to the closing of the Public Hearing, and subsequently emailed to Commission members on June 2, 2015)

Chairman Goodwin invited the public to speak.

Michael Soares, 99 Dog Lane, member of the Open Space Preservation Committee, Conservation Commission and the Water System Advisory Committee, speaking as a citizen, stated that he was appreciative of all the work that has been done on the plan and the inclusion of the public in the process. He stated that he would like to see the area of Mansfield Apartments (Storrs Road side of South Eagleville Road remain designated as Compact Residential or, if changed to Mixed Use Center, that the recommendations of the Open Space Preservation Committee with regard to design and compatibility with Moss Sanctuary be addressed; he requested that Goal 4.2, Strategy E, regarding potential future expansion of the Storrs Center Special Design District be clarified to specify the inholdings and expressed concern if the district were to be expanded outward; he expressed reservations with the way in which the scenic road ordinance is addressed in several sections of the plan and suggested adding language to integrate scenic roads, bike and pedestrian walkways and to eliminate references to delaying future scenic road designations.

Alison Hilding, 17 Southwood Road, discussed the cost of having students living in residential areas of Town, the high cost of having rentals, the loss of quality of life of the citizens living in the residential neighborhoods, and the detrimental impacts to quality of life and natural resources of allowing high density zoning in the South Eagleville Road/Hunting Lodge Road area of Storrs. Ms. Hilding submitted several documents in support of the neighborhood's longstanding concern and struggle with these issues.

Anthony Giorgio, The Keystone Companies, LLC, who owns land on Hunting Lodge Road, expressed his support for recommendations in Chapters 7 and 8 of the plan and discussed the background of his previously withdrawn application to develop the land. He reiterated that even if the land use designation in the POCD remains compact residential, any future development will require additional review and approval from the Commission and Inland Wetlands Agency; these approvals will include public hearing processes.

Alison Hilding, 17 Southwood Road, stated that there were two communications she was certain were submitted to the Planning Office, but she did not hear them recited: namely, Merrill Cook, 219 Separatist Road and John Maloney, 5 Southwood Road.

At 8:24 The Commission agreed to temporarily hold the public hearing open while staff and Ms. Hilding attempted to locate those communications.

Continued Old Business:

- c. **Special Permit Application, Efficiency Unit, 5 Hillside Circle; Steven Sorrels, PZC File#1332**
Tabled pending continued Public Hearing on 6/15/15.
- d. **Special Permit Application, Efficiency Unit, 17 Olsen Drive; Adam Lambert, PZC File#1333**
Tabled pending 6/15/15 Public Hearing
- e. **Gravel Permit Renewals**
Tabled pending 6/15/15 Public Hearing

New Business:

- a. **Special Permit Application, Efficiency Unit, 10 Meadowood Road; Germaine Mama, PZC File#1334**
Chandy MOVED, Ryan seconded, to receive the Special Permit application submitted by Germaine Mama, for an efficiency unit, on property located at 10 Meadowood Road, owned by the applicant, as shown on plans dated 5/27/15 and as described in other application submissions and to refer said application to the Staff for review and comments, and to set a Public Hearing for July 6, 2015. MOTION PASSED UNANIMOUSLY.
- b. **Appointment of PZC Member to the Sustainability Committee**
Chairman Goodwin noted that Ward intends to resign as the PZC Representative to the Sustainability Committee and a new volunteer is needed. Member agreed to think about this appointment and discuss at the next meeting.

Mansfield Tomorrow:

No update provided.

Reports from Officers and Committees:

Re: CROG; Westa reported that a presentation on transportation issues in the region was made at the recent meeting.

Plante questioned the status of the Legal Opinion he requested at the May 4th meeting of the legality of the bylaw provision regarding implied resignation if a member has three consecutive, unexcused absences. Painter reported that she received a verbal opinion from the Town Attorney concurring that there is no recall provision for elected officials and that a member cannot be removed for failure to attend meetings.

Communications and Bills:

Noted.

Continued Public Hearing:

Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)

At 8:31 p.m. the Public Hearing resumed. At the time the meeting resumed, the documents had not been found, but it was noted that they may be in the locked mail room in the Town Clerk's Office. As noted in the list of communication in these minutes, these letters were located in the Town Clerk's office and confirmation was made that they were received prior to the close of the Public Hearing. Accordingly, they are part of this record.

Plante MOVED, Rawn seconded, to close the Public Hearing at 8:32 p.m. MOTION PASSED UNANIMOUSLY.

Continued Old Business:

b. Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)

Discussion tabled until 6/15/15.

Adjournment:

The Chair set a field trip for 6/10/15 at 3pm and declared the meeting adjourned at 8:36 p.m.

Respectfully submitted,

Vera S. Ward, Secretary